

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MEGAN KASZHA YELLOW OWL,

Defendant.

CR-22-14-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 13, 2024. (Doc. 81.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 6, 2024 and September 10, 2024. (Docs. 71 and 80.) The United States accused Megan Yellow

Owl (Yellow Owl) of violating the conditions of her supervised release by: (1) failing to comply with substance abuse testing requirements on May 3, 2024; (2) failing to comply with substance abuse testing requirements on May 28, 2024; (3) failing to comply with substance abuse testing requirements on May 30, 2024; (4) failing to comply with substance abuse testing requirements on June 20, 2024; (5) failing to comply with substance abuse testing requirements on June 25, 2024; (6) failing to comply with mental health treatment on July 18, 2024; (7) failing to comply with mental health treatment on July 25, 2024; (8) failing to refrain from the consumption of alcohol, admitting to consuming alcohol on July 25, 2024; and (9) failing to comply with substance abuse testing requirements on July 25, 2024; (10) failing to answer truthfully questions from her probation officer about obtaining a vivitrol shot on August 29, 2024; (11) failing to comply with substance abuse testing requirements on August 29, 2024; and (12) failing to refrain from the consumption of alcohol, admitting to consuming alcohol on August 28, 2024 .

(Doc. 69 and 77.)

At the revocation hearings, Yellow Owl admitted that she had violated the conditions of her supervised release by: (1) failing to comply with substance abuse testing requirements on May 3, 2024; (2) failing to comply with substance abuse testing requirements on May 28, 2024; (3) failing to comply with substance abuse testing requirements on May 30, 2024; (4) failing to comply with substance abuse

testing requirements on June 20, 2024; (5) failing to comply with substance abuse testing requirements on June 25, 2024; (6) failing to comply with mental health treatment on July 18, 2024; (7) failing to comply with mental health treatment on July 25, 2024; (8) failing to refrain from the consumption of alcohol, admitting to consuming alcohol on July 25, 2024; and (9) failing to comply with substance abuse testing requirements on July 25, 2024; (10) failing to answer truthfully questions from her probation officer about obtaining a vivitrol shot on August 29, 2024; (11) failing to comply with substance abuse testing requirements on August 29, 2024; and (12) failing to refrain from the consumption of alcohol, admitting to consuming alcohol on August 28, 2024 . (Docs. 71 and 80.)

Judge Johnston found that the violations Yellow Owl admitted prove to be serious and warrant revocation, and recommended that Yellow Owl receive a custodial sentence of 4 months with 16 months of supervised release to follow. (Doc. 81.) The Court advised Yellow Owl of her right to appeal and to allocute before the undersigned. (80.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 81) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Megan Kaszha Yellow Owl be sentenced to 4 months with 16 months of supervised release to follow.

DATED this 30th day of September, 2024.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court